

Comparison of IDEA '97 to H.R. 1350 as Passed by Congress – November 19, 2004

IDEA '97 – P.L. 105-17	H.R. 1350 as Passed by Congress
<p>SEC. 617. ADMINISTRATION.</p> <p>(a) RESPONSIBILITIES OF SECRETARY In carrying out this part, the Secretary shall –</p> <ul style="list-style-type: none"> (1) cooperate with, and (directly or by grant or contract) furnish technical assistance necessary to, the State in matters relating to – <ul style="list-style-type: none"> (A) the education of children with disabilities; and (B) carrying out this part; and (2) provide short-term training programs and institutes. <p>(b) RULES AND REGULATIONS- In carrying out the provisions of this part, the Secretary shall issue regulations under this Act only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements of this Act.</p> <p>(c) CONFIDENTIALITY- The Secretary shall take appropriate action, in accordance with the provisions of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), to assure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary and by State and local educational agencies pursuant to the provisions of this part.</p> <p>(d) PERSONNEL- The Secretary is authorized to hire qualified personnel necessary to carry out the Secretary's duties under subsection (a) and under sections 618, 661, and 673 (or their predecessor authorities through October 1, 1997) without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates, except that no more than twenty such personnel shall be employed at any time.</p>	<p>SEC. 617. ADMINISTRATION.</p> <p>(a) RESPONSIBILITIES OF SECRETARY.--The Secretary shall--</p> <ul style="list-style-type: none"> (1) cooperate with, and (directly or by grant or contract) furnish technical assistance necessary to, a State in matters relating to-- <ul style="list-style-type: none"> (A) the education of children with disabilities; and (B) carrying out this part; and (2) provide short-term training programs and institutes. <p>(b) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.--Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction.</p> <p>(c) CONFIDENTIALITY.--The Secretary shall take appropriate action, in accordance with section 444 of the General Education Provisions Act, to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary and by State educational agencies and local educational agencies pursuant to this part.</p> <p>(d) PERSONNEL.--The Secretary is authorized to hire qualified personnel necessary to carry out the Secretary's duties under subsection (a), under section 618, and under subpart 4 of part D, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates, except that no more than 20 such personnel shall be employed at any time.</p>

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	<p>(e) MODEL FORMS.--Not later than the date that the Secretary publishes final regulations under this title, to implement amendments made by the Individuals with Disabilities Education Improvement Act of 2004, the Secretary shall publish and disseminate widely to States, local educational agencies, and parent and community training and information centers--</p> <ul style="list-style-type: none"> (1) a model IEP form; (2) a model individualized family service plan (IFSP) form; (3) a model form of the notice of procedural safeguards described in section 615(d); and (4) a model form of the prior written notice described in subsections (b)(3) and (c)(1) of section 615 that is consistent with the requirements of this part and is sufficient to meet such requirements.